

Item No. 6.1	Classification: Open	Date: 4 April 2012	Meeting Name: Rotherhithe Community Council
Report title:	Development Management planning application: Application 11-AP-2521 for: Full Planning Permission Address: 7-14 RUBY TRIANGLE, SANDGATE STREET, LONDON, SE15 1LE Proposal: Erection of extensions at ground and first floor level, window and door alterations to elevations and alterations to gates and fencing to front of site in connection with use of ground floor as an industrial unit (Use Class B1, B2 or B8) and use of first floor as a unit for place of worship and community facilities (Use Class D1) and change of use of part of the ground floor to provide access and emergency egress from proposed first floor for proposed community facility. Works include installation of 4 A/C units to roof of first floor extension.		
Ward(s) or groups affected:	Livesey		
From:	Head of Development Management		
Application Start Date 22 December 2011		Application Expiry Date 16 February 2012	

RECOMMENDATION

- 1 To refuse planning permission.

BACKGROUND INFORMATION

- 2 A Ward Councillor requested that the application be considered by the Rotherhithe Community Council, which was agreed by the chair.

Site location and description

- 3 The site lies to the north-east of the Old Kent Road in the Sandgate industrial estate. The property is an industrial building built of brick that has a single-storey element with a 2-storey wing attached to its south-east end. There is a gated forecourt to the front of the building.
- 4 The building is known to have been used as a church with ancillary offices and classrooms since 2003 accommodating a congregation of approximately 120. The building faces a triangular traffic island enclosed by carriage ways which take access from the industrial estate roads.
- 5 The site forms part of a preferred industrial location (PIL), the urban density zone and an air quality management area. The building is not listed and is not within a conservation area. It is not within a controlled parking zone.

Details of proposal

- 6 The use of the site as a Place of worship and Assembly is unauthorized, and full planning permission is sought to retain this use. The applicant intends to relocate the church at first floor level through the creation of a first floor extension. The extension would be a steel framed, panel construction.
- 7 At first floor level, it would provide space for the church and some ancillary office space or alternatively shared studio service space.
- 8 The proposal would also extended the building at ground floor level which it is proposed would be reinstated to accommodate commercial (Use Class B1 (Office), B2 (general industrial), or B8 (storage and distribution) uses.
- 9 The entrance to the church would be located on the left hand side of the building and the industrial entrance to the right.
- 10 Dimensions of the proposed extensions:
- 11 Single-storey front extension (north-west elevation) (Entrance to the industrial unit)
 - Width: 8m wide
 - Depth: 4m (maximum)
 - Height: 3.7m
- 12 The structure would have a flat roof.
- 13 Two-storey extension front extension (north-west elevation) (Entrance to proposed church space):
 - Width: 7.95m
 - Depth: 3.450m
 - Height: 7m high
- 14 The structure would have a flat roof and would be constructed of matching brick with contrasting blue / black soldier courses and aluminium framed windows.
- 15 Extensions at first floor level:
- 16 The first floor extension would comprise two elements.

The first would provide the church assembly hall and would measure 23.5m wide, 14.6m deep and 3.8m high with a flat roof, constructed of silver coloured aluminium panels with aluminium framed windows.

The second element would provide ancillary office space for the industrial unit and would measure 6.5m wide, 15.8m deep and 3.1m high with a flat roof. It would be constructed of matching brick with blue/black soldier courses and aluminium framed windows.
- 17 A number of window and door alterations are proposed; to the front (north-west) elevation this would comprise the insertion of 2 painted roller shutter doors at ground floor level and insertion of a new timber door, the insertion of 2 timber doors to the rear (south-west) elevation of the building at ground floor level and the reinstatement of 2 windows to the south-east facing elevation.
- 18 Alterations to gates and fencing to front of site:

- 19 It is proposed to provide a gated entrance to the church and two gated pedestrian entrances to the industrial unit with two off-street parking spaces in between.

Planning history

- 20 06-EN-0461: Enforcement notice in connection with material change of use of land from B12/B2 use class premises to a place of worship and other ancillary uses (Use class D1) ("the unauthorized use"). Notice served 16 January 2012.

The enforcement notice was served to protect the Preferred Industrial Location designation and due to the traffic impacts of this development. The enforcement notice has been appealed, but planning permission for the existing use is not a ground of appeal. The appeal is limited to the detail of the requirements needed to comply with the enforcement notice. The current unauthorised use will not be permitted, as part of this appeal.

Prior to issuing the enforcement notice officers considered that the planning history of this site set out below, coupled with the continuing policy designation as a Preferred Industrial Location prevented a D class use from being acceptable on this site.

- 21 08-AP-3085: Planning permission refused on 6 October 2009 for the erection of extensions at ground and first floor level, window and door alterations to elevations and alterations to gates and fencing to front of site in connection with use of ground floor as an industrial unit (Use Class B1, B2, or B8) and first floor a place of worship and community facilities (Use Class D2) and change of use of part of the ground floor to provide access and emergency egress from proposed first floor.

The reasons for refusal were that:

1. The proposed development, by virtue of the provision of a D class use in a preferred industrial location would be contrary to the provisions of policy 1.2 of the Southwark Plan 2007 'Preferred office and industrial locations' which only permits B class uses and sui generis class industrial uses which would be unsuitable in residential areas in preferred industrial locations. The inclusion of a Class D use would set an undesirable precedent making it difficult to resist similar applications in the future, the cumulative impact of which would be to undermine the character, and harm the function of the industrial area.

2. The proposed development, by virtue of introducing both a B class and a D class use into the building would introduce further traffic into the area and would cause harm to and conflict between vehicular and pedestrian safety, contrary to policies 5.2 'Transport impacts' and 5.3 'Walking and cycling' of the Southwark Plan 2007.

- 22 04-AP-0227 Planning permission refused for alterations to existing sloping roof to create a first floor with new windows and alterations to existing ground floor frontage, use of former industrial unit as a place of worship on the ground floor with use of part of the ground floor and first floor for storage purposes (B8) and offices (B1). 01/07/2004.

The reasons for refusal were that:

1. The proposal would result in the loss of a Class B industrial building within a designated Employment Area, contrary to policy B.1.1 'Protection of Employment Areas and identified sites' in the Southwark Unitary Development Plan, and policy 1.3 'Strategic and Local Preferred Industrial Locations' in the Draft Southwark Plan (March 2004). As such, the proposal is considered to be harmful to the character and functioning of the employment area and would be detrimental to employment opportunities within the borough.

2. The proposal by reason of car traffic generated would be harmful to the functioning of the industrial estate. As such, it is contrary to Policies C.3.2 (New Religious Buildings) and T.1.2 (Location of Development in Relation to the Transport Network) of the adopted Southwark Unitary Development Plan and policy 2.2 (Provision of Communal Facilities) of the draft Southwark Plan (March 2004).

- 23 03-AP-1991 Planning permission was refused for a proposal to change the use from light industrial and construction of an additional floor to provide mixed use scheme comprising place of worship, computer training centre, offices and a day care centre. The reasons for refusal were that:
- 24 1. The proposal would result in the loss of a Class B industrial building within a designated Employment Area, contrary to policy B.1.1 'Protection of Employment Areas and identified sites' in the Southwark Unitary Development Plan, and Policy 1.4 'Preferred Industrial Location' in the Draft Southwark Plan (on Deposit Nov. 2002). As such, the proposal is considered to be harmful to the character and functioning of the employment area and would be detrimental to employment opportunities within the borough.
- 25 2. The proposal by reason of car traffic generated would be harmful to the functioning of the industrial estate. As such, it is contrary to Policies C.3.2 (New Religious Buildings) and T.1.2 (Location of Development in Relation to the Transport Network) of the Adopted Southwark Unitary Development Plan and Policy 2.4 (Provision of Community Facilities) of the Southwark Plan as agreed for Deposit November 2002.
- 26 Appeal against refused planning application 03-AP-1991 dismissed. The Inspector found that:
- 27 1) the potential of the site to compromise operations on the surrounding industrial area by virtue of on-street parking would be contrary to policy
- 28 2) the scheme would result in the loss of employment generating use within a the heart of an industrial area contrary to policy.

Planning history of adjoining sites

- 29 25-27 Ruby Street
03-AP-2424 - Use of premises for religious and community centre together with elevational alterations to create a new entrance to the building (renewal of LBS erg. 9801730). Planning permission was granted in May 2004.

This is preceded by:

Planning Permission was granted in July 1997 for the change of to place of worship and for educational and community activities with alterations and extension to the front and rear of the building.

Planning permission was granted on 19/02/1999 for the use of the premises as religious and community centre together with elevational alterations to create a new entrance to the building. (Amendment to planning permission dated 23/07/97).

- 30 Unit 5, Sandgate Trading Estate
05-AP-0523 - Alterations to rear section of warehouse by raising roof level to same height as 3 storey front section to provide additional storage space. Planning permission was GRANTED in September 2004.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 31 The main issues to be considered in respect of this application are:
- a) the principle of the development in terms of land use and conformity with strategic policies;
 - b) amenity;
 - c) transport;
 - d) design
 - e) flood risk.

Planning policy

- 32 Core Strategy 2011
- 33 Strategic policy 1 (Sustainable Development)
Strategic policy 2 (Sustainable Transport)
Strategic policy 4 (Places for learning, enjoyment and healthy lifestyles)
Strategic policy 10 (Jobs and businesses)
Strategic policy 12 (Design and conservation)
Strategic policy 13 (High environmental standards)
- 34 Southwark Plan 2007 (July) - saved policies
- 35 Policy 1.2 (Strategic and local preferred industrial locations)
Policy 1.5 (Small business units)
Policy 2.2 (Provision of new community facilities)
Policy 3.2 (Protection of amenity)
Policy 3.4 (Energy efficiency)
Policy 3.7 (Waste reduction)
Policy 3.12 (Quality in design)
Policy 3.13 (Urban design)
Policy 5.2 (Transport impacts)
Policy 5.3 (Walking and cycling)
Policy 5.6 (Car parking)
Policy 5.7 (Parking standards for disabled people and the mobility impaired)
- 36 London Plan 2011
- 37 Policy 2.17 (Strategic Industrial Locations)
Policy 3.1 (Ensuring Equal Life Chances for All)
Policy 4.4 (Managing Industrial Land and Premises)
Policy 4.11 (Encouraging a Connected Economy)
Policy 6.3 (Assessing Effects of Development on Transport Capacity)
Policy 6.9 (Cycling)
Policy 6.12 (Road Network Capacity)
Policy 6.13 (Parking)
Policy 7.15 (Reducing Noise and Enhancing Soundscapes)

38 Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 39 PPS1 - Delivering Sustainable Development
PPG4 - Industrial, Commercial Development and Small Firms
PPS25: Development and Flood Risk

The draft National Planning Policy Framework (NPPF):

The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.

The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

Principle of development

- 40 Saved Policy 1.2 of the Southwark Plan states that in preferred industrial locations, planning permission will only be granted for developments falling within the 'B' use class and Sui Generis use class industries which are inappropriate in residential areas.
- 41 This proposal has the effect of restoring some B class floor space, which is one of the aims of the planning enforcement notice. In comparison to the existing building there would be a loss of 37sqm of B class floor space. A similar proposal (08-AP-3085) seeking to relocate the unlawful use on site was refused on policy and transport grounds at this site. The reasons are set out above under planning history.
- 42 There are similar concerns with this proposal, regarding the principle of allowing a D class use within a preferred industrial location.
- 43 Employment Land Review:
- 44 A review of employment land was completed in 2010 which assessed employment land in the borough. The review led to recommendations some of which related to the retention of industrial designations in the borough, in particular recommendation 3 which specifically refers to the retention of the Sandgate Trading Estate of which the application site forms part.
- 45 There is a need to ensure that demand for 'B' use class and 'Sui Generis' employment generating uses can be accommodated at the most appropriate locations, particularly where they cannot be located near residential areas. The application site within a PIL is one of these said areas. Planning permission for a D1 use, be it full or temporary would seriously undermine the Council's employment strategy and might conceivably give rise to some 'hope value' for other D1 uses to locate in what is otherwise a well functioning industrial area.
- 46 If any unauthorised use were granted planning permission in a Preferred Industrial Location it would create an incentive to restrict industrial use of the land so that other uses might be bought onto the land such as residential, as well as D1. This would create two problems. The first 'Hope Value' potentially inflating land values, which can affect new businesses looking to establish. Secondly non industrial uses can restrict the use of adjoining land. The earlier D1 permission relates to a time before adoption of the Southwark Plan 2007 when policy was less rigourous than at present. At that time

there was more industrial land available. Since that time there has been a significant reduction in industrial land. This site is on an industrial estate with a high level of occupancy and there is no evidence that this mixed use is required to redevelop the site, or that the existing building could not be relet to an industrial use.

New community uses:

47 Policy 2.2 of the Southwark Plan states that planning permission will be granted for new community facilities provided that:

48 i) provision is made to enable the facility to be used by all members of the community;

49 Two parking spaces would be provided at the front of the site which could be secured for use by people with disabilities or those with mobility impairments by condition, although in this instance there are concerns that the spaces would be too short (refer to transport section of this report). The entrance to the church would have a level threshold and there would be a lift in the reception area therefore no objections are raised.

50 ii) the facility is not detrimental to the amenity of present and future occupiers of the surrounding area, in compliance with saved policies 3.2 and 5.2;

51 Refer to amenity section of this report.

52 iii) where developments will generate more than 20 vehicle trips at any one time a transport assessment will be required in compliance with saved policies 3.3 and 5.2.

53 Refer to the transport section of this report.

54 Summary:

55 Saved Policy 1.2 only permits B class or Sui Generis industries in these locations, and to allow a D class use would set an undesirable precedent which would make it difficult to resist similar applications in the future, the cumulative impact of which could undermine the industrial area. The proposed scheme would conflict with policy and for this reason would not be acceptable.

Environmental impact assessment

56 Not required.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

57 Saved Policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for present and future occupiers.

58 Present occupiers:

59 Impact of the proposed use:

60 The building has been used as a church since 2003 and the surrounding industrial units continue to operate. It is noted that there have been no recent complaints regarding noise or traffic. A D class use at its proposed relocation to a new first floor level would hinder the operation of the neighbouring industrial premises, if they wished to operate on a Sunday. At present the adjoining industrial uses choose not to operate on a Sunday, but a Preferred industrial Location is intended as an area where a business could operate on a Sunday if it wished, because it would not affect the amenity of adjoining occupiers.

- 61 It is noted that two neighbouring properties, The Lodge, Sandgate Trading Estate, Sandgate Street and Unit 6, Sandgate Trading Estate, Sandgate Street have not been consulted.
- 62 Impact of the proposed extensions:
- 63 Given that the neighbouring units are all in industrial use, it is not considered that the proposed extensions and other alterations to the building would result in any loss of amenity or hinder the operations of the neighbouring units. This assessment includes two neighbouring properties, The Lodge, Sandgate Trading Estate, Sandgate Street and Unit 6, Sandgate Trading Estate, Sandgate Street which have not been consulted.
- 64 Future occupiers:
- 65 There are concerns that the provision of a place of worship and an industrial use within the same building would cause difficulties for both uses, and this is considered further in the transport section of this report. The use of the first floor as a church attracting large numbers of people and their vehicles to the site is likely to render the industrial unit unattractive to future occupiers and could cause lead to vacancy of adjoining units, given the location of the site in a preferred industrial location, the proposed industrial use must take priority.

Traffic issues

- 66 The site has a public transport accessibility level (PTAL) of 3 (medium). Two off-street parking spaces are proposed, located at the front of the building.
- 67 Saved Policy 2.2 requires applications for community facilities which would generate more than 20 vehicle trips at any one time to be accompanied by a transport assessment. Saved Policy 5.2 'Transport impacts' is also relevant, which seeks to ensure that developments do not result in adverse highway conditions.
- 68 The church has a congregation of approximately 120 adults plus children that attend midweek activities and Sunday services. The church is also currently used during the week as an office base for 7 members of staff (3 full-time and 4 part-time). A breakdown of the church's activities has been submitted with the application, which indicates that activities take place every day of the week, generally from between 10am to up to 9:30pm.
- 69 The Transport Group has raised concerns that limited information has been supplied to establish the likely transport implications of the proposal. A transport assessment has been submitted, although it does not go into any detail with regard to the availability of parking spaces in the vicinity and no travel plan has been submitted.
- 70 The Transport Assessment states that 78% of the 120 strong congregation travel to the site by car, which equates to 93 people at any one time. It is considered that this high percentage of car use does lead to adverse parking conditions. On a Sunday the road is parked up which prevents neighbouring businesses from operating on a Sunday. It may be a coincidence that these sites are generally quiet on a Sunday, but local business should not be prevented from operating on a Sunday (which in effect they would be if this permission is granted) by a use that is not authorised in a PIL.
- 71 The Transport Assessment only considers the impact of the church, and not the reinstatement of an industrial use into the building. This would introduce more traffic into the area, particularly if a B8 use occupied the building, and the provision of roller shutters would facilitate the use of larger vehicles.

- 72 Although both uses would have clearly separate, segregated entrances, besides generating additional traffic the proposed mixed-use approach has the potential to create vehicle / pedestrian conflicts. There are concerns that large numbers of people entering and leaving the building at the same time, in close proximity to vehicles servicing the industrial unit, would lead to vehicle / pedestrian conflicts. This would be exacerbated by the fact that Ruby Triangle is often heavily parked, with vehicles parked on the triangular raised area in the middle of the road.
- 73 The Transport Group has also raised concerns that the proposed pedestrian entrance gates would open out onto the highway and whilst ordinarily this could be addressed by a condition requiring them to open inwards, they would then open directly onto the parking spaces, and it would not be possible to use the gates if the spaces were in use.
- 74 Saved Policy 5.6 of the Southwark Plan establishes maximum parking standards, which are set out at Appendix 15. No parking spaces are required for the industrial unit as the floor space would be less than 1,000sqm. In this case the B use class floor space would be 613sqm. There is no specific standard for D class uses, as this would usually be based on the findings of a transport assessment. Given the area's Public Transport Accessibility Level rating of 3, reflecting the area's medium level of access to all forms of public transport, this development is required to provide on site parking in order to minimise overspill parking on the road network. The applicants have not submitted any quantification of the proposed modal split/trip generation levels, neither have the applicants submitted a parking survey. The parking survey should provide information on the current on street parking stress levels, the number of vehicles generated at peak times of usage (using quantified modal split levels). The parking survey should comment on the impact of the development on the surrounding highway network. Without a parking survey the transport team can not assess the impact of the development on the current on street parking situation.
- 75 No information regarding sight-lines and visibility splays has been submitted, although were the proposal found to be acceptable in all other respects, this could be addressed by way of condition.
- 76 Saved Policy 5.3 of the Southwark Plan requires developments to adequately cater for pedestrians and cyclists.
- 77 The Southwark Plan requires two cycle parking spaces for the B class use, and three are shown on the plans. A further two spaces are shown near to the church entrance (although again there is no cycle parking standard for D class uses) and these could be secured by condition.
- 78 Overall, it is considered that the provision of an industrial unit and a church use in the building would result in adverse highway conditions, to the detriment of pedestrian and vehicular safety, contrary to saved policies 5.2 and 5.3 of the Southwark Plan and Strategic Policy 2 of the Core Strategy 2011.

Design issues

- 79 Saved Policies 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan seek to ensure that developments achieve high quality architectural and urban design. The existing building is functional in appearance, as are its neighbours. The proposed extensions and other external alterations would not result in any loss of visual amenity.

Flood risk

- 80 The site forms part of flood zone 3 therefore a flood risk assessment has been submitted with the application which has been reviewed by the Environment Agency and found to be acceptable subject to conditions. Were the proposal found to be

acceptable in all other respects, the conditions would be duly imposed.

Impact on character and setting of a listed building and/or conservation area

81 None.

Impact on trees

82 None.

Planning obligations (S.106 undertaking or agreement)

83 None.

Sustainable development implications

84 The proposal would conflict with land use policy and the strategic objectives of the Core Strategy. It also has the potential to set an undesirable precedent which would make it difficult to resist similar applications and uses within a PIL in the future. The cumulative impact of granting permission for such a scheme could undermine the function and attractiveness of the wider Sandgate estate industrial area and PIL's in general. Permitting churches on industrial estates would lower the attractiveness of PIL's to business because of the potential conflicts in use between industry and large groups of people. Sustainable development needs to support the economy, as well as taking into account social and environmental factors. The purpose of a PIL is twofold in protecting industrial land supply for economic reasons and to prevent environmental problems arising from conflicting land uses. For these reasons the scheme would not represent a sustainable form of development and would not be acceptable.

Other matters

85 The Applicant Church provides a valuable service to its members and congregation. Social organisations such as churches play a role in creating community cohesion and improving local quality of life. The church has existed for a number of years and had a consistent congregation of 120 members.

86 It is regretted that the Church has operated without planning permission from this site for a number of years. The Church has consistently failed to obtain planning permission despite submitting three applications and taking one to appeal. The Council and the Planning Inspector have been consistent in refusing those applications for the same reasons that this application is recommended for refusal.

87 It is acknowledged that refusal of this application must in due course have the effect of compelling the church to relocate to a site outside of the Preferred Industrial Location. The application has not identified any basis as to why an exception to policy should be made in respect of this site.

88 Community Infrastructure Levy (CIL):
S143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL is a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.

Conclusion on planning issues

- 89 The proposal is contrary to saved policies 1.2 'Preferred office and industrial locations', 5.2 'Transport impacts' and 5.3 'Pedestrians and cyclists'. As such it is recommended that planning permission be refused.

Community impact statement

- 90 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- 91 a) The impact on local people is set out above.

Consultations

- 92 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

- 93 Details of consultation responses received are set out in Appendix 2.
- 94 Summary of consultation responses:
None received.

Human rights implications

- 95 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 96 This application has the legitimate aim of providing new floor space in D1 use. The rights potentially engaged by this application, including the right to manifest ones religious beliefs and a fair trial they are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 97 N/A

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2360-B Application file: 11-AP-2521 Southwark Local Development Framework and Development Plan Documents	Deputy Chief Executive's Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5461 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Daniel Davies, Planning Officer	
Version	Final	
Dated	20 March 2011	
Key Decision	No.	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No.	No
Director of Planning	Yes	Yes
Strategic Director of Environment and Housing	No.	No
Date final report sent to Constitutional Team	26 March 2012	

Consultation undertaken

Site notice date: 06/1/2012

Press notice date: 29/12/2011

Case officer site visit date: 06/1/2011

Neighbour consultation letters sent: 15/02/2012

Two neighbouring properties, The Lodge, Sandgate Trading Estate, Sandgate Street and Unit 6, Sandgate Trading Estate, Sandgate Street have not been consulted. It is however considered that in this case sufficient consultation was carried out by the display of a site notice and publicising the proposal in the local press.

Internal services consulted:

Transport planning group.

Statutory and non-statutory organisations consulted:

Environment Agency.

Neighbours and local groups consulted:

631-633 OLD KENT ROAD LONDON SE15 1JU
41A RUBY TRIANGLE LONDON SE15 1LE
7 CANAL GROVE LONDON SE15 1LB
8 CANAL GROVE LONDON SE15 1LB
9 CANAL GROVE LONDON SE15 1LB
2 CANAL GROVE LONDON SE15 1LB
3 CANAL GROVE LONDON SE15 1LB
4 CANAL GROVE LONDON SE15 1LB
5 CANAL GROVE LONDON SE15 1LB
6 CANAL GROVE LONDON SE15 1LB
40-64 SANDGATE STREET LONDON SE15 1LE
THE WORKS RUBY TRIANGLE LONDON SE15 1LG
1 RUBY TRIANGLE LONDON SE15 1LG
8 SANDGATE STREET LONDON SE15 1LE
651-653 OLD KENT ROAD LONDON SE15 1JU
639 OLD KENT ROAD LONDON SE15 1JU
2A RUBY STREET LONDON SE15 1LL
641 OLD KENT ROAD LONDON SE15 1JU
16 CANAL GROVE LONDON SE15 1LB
17 CANAL GROVE LONDON SE15 1LB
1 CANAL GROVE LONDON SE15 1LB
615-629 OLD KENT ROAD LONDON SE15 1JU
10-18 SANDGATE STREET LONDON SE15 1LE
20-26 SANDGATE STREET LONDON SE15 1LE
593-613 OLD KENT ROAD LONDON SE15 1LA
14 RUBY STREET LONDON SE15 1LL
10 CANAL GROVE LONDON SE15 1LB
11 CANAL GROVE LONDON SE15 1LB
12 CANAL GROVE LONDON SE15 1LB
13 CANAL GROVE LONDON SE15 1LB
14 CANAL GROVE LONDON SE15 1LB
15 CANAL GROVE LONDON SE15 1LB
7-14 RUBY TRIANGLE LONDON SE15 1LG
UNIT 2 TO 3 57 SANDGATE STREET LONDON SE15 1LE
FIRST FLOOR FRONT 635 OLD KENT ROAD LONDON SE15 1JU
FIRST FLOOR REAR 635 OLD KENT ROAD LONDON SE15 1JU
UNIT 10 SANDGATE TRADING ESTATE SANDGATE STREET LONDON SE15 1LE

16-18 KENT PARK INDUSTRIAL ESTATE RUBY STREET LONDON SE15 1LR
UNIT 4 SANDGATE TRADING ESTATE SANDGATE STREET LONDON SE15 1LE
UNIT 3 SANDGATE TRADING ESTATE SANDGATE STREET LONDON SE15 1LE
UNIT 20 KENT PARK INDUSTRIAL ESTATE RUBY STREET LONDON SE15 1LR
UNIT 22 KENT PARK INDUSTRIAL ESTATE RUBY STREET LONDON SE15 1LR
UNIT 24 KENT PARK INDUSTRIAL ESTATE RUBY STREET LONDON SE15 1LR
UNIT 10 57 SANDGATE STREET LONDON SE15 1LE
UNIT 16 TO 18 KENT PARK INDUSTRIAL ESTATE RUBY STREET LONDON SE15 1LR
UNIT 1 57 SANDGATE STREET LONDON SE15 1LE
UNIT 9 57 SANDGATE STREET LONDON SE15 1LE
UNIT 4 57 SANDGATE STREET LONDON SE15 1LE
UNIT 1 SANDGATE TRADING ESTATE SANDGATE STREET LONDON SE15 1LE
UNIT 11 57 SANDGATE STREET LONDON SE15 1LE
UNIT 5 TO 6 57 SANDGATE STREET LONDON SE15 1LE
UNIT 7 SANDGATE TRADING ESTATE SANDGATE STREET LONDON SE15 1LE
UNIT 2 SANDGATE TRADING ESTATE SANDGATE STREET LONDON SE15 1LE
UNIT 5 SANDGATE TRADING ESTATE SANDGATE STREET LONDON SE15 1LE
UNIT 7 57 SANDGATE STREET LONDON SE15 1LE
UNIT 8 57 SANDGATE STREET LONDON SE15 1LE
UNITS 22 AND 28 TO 32 KENT PARK INDUSTRIAL ESTATE RUBY STREET LONDON SE15 1LR
UNIT 26 KENT PARK INDUSTRIAL ESTATE RUBY STREET LONDON SE15 1LR
UNIT 2 28 SANDGATE STREET LONDON SE15 1LE
BASEMENT 635 OLD KENT ROAD LONDON SE15 1JU
GROUND FLOOR FRONT 635 OLD KENT ROAD LONDON SE15 1JU
GROUND FLOOR REAR 635 OLD KENT ROAD LONDON SE15 1JU
FIRST FLOOR AND SECOND FLOOR 591 OLD KENT ROAD LONDON SE15 1LA
E AND M CAFE CORNER OF RUBY TRIANGLE SANDGATE STREET LONDON SE15 1LG

Re-consultation: Not required.

Consultation responses received

Internal services

Transport planning group

Transport DC objects to this application as it does not conform with saved Policy 5.6 Car Parking (iii The impact on overspill parking) for the following reasons.

No exact details have been provided which quantify the modal split levels as suggested in the Transport Statement.

A parking survey has not been submitted which takes into account current on street parking stress, trip generation/number of associated vehicles, impact of the development on the surrounding highway network.

At present the transport team can not be assured that the proposed development will not generate a significant negative impact on the performance and safety of the surrounding highway network.

Vehicle, Pedestrian & Disabled Access

Existing and proposed pedestrian access to the site is from Ruby Triangle. Submitted plans do not show a dedicated vehicular access to the site

The submitted plans do not show any alterations to the sites vehicular access from the highway.

If there were to be any alterations to the developments access any new or altered access must have the approval of the Highways Authority, before construction. Please include the following informative:

"The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway."

Sightlines/Visibility Splays

Should there be any changes to the access points of the development the following information will be relevant.

Vehicular Visibility Splays

The Applicant would need to provide pedestrian and vehicular visibility splays, in line with a 30 mph road.

Vehicular visibility on a 30 mph road are based on the Sight Stopping Distance and is assessed at 43m, as stated in Manual for Streets 7.5.

Pedestrian Visibility Splays

Pedestrian visibility is a standard 2 metres by 2 metres splay.

In addition to planning consent, any new or altered access must have the approval of

the Highways Authority, before construction. Please include the following informative:

"The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway."

Car, Cycle and Motorcycle Parking

Cycle storage

Policy 5.3 (Cycle Storage)

For the D1 use the Southwark plan has no exact details of the levels of cycle parking for this development. The lack of cycle storage associated with the above application will not warrant a reason for refusal. However the transport team suggest that cycle storage is provided for the levels of cycle usage as outlined in the future modal split associated with the development.

Car Parking

Policy 5.6 (Car Parking)

The applicant has provided no details of the current on street parking situation at peak times of operation.

The proposed development has no associated off street parking.

This proposal is located in an area with a medium TfL PTAL rating (3) reflecting the area's medium level of access to all forms of public transport. Developments in areas with this PTAL rating are required to provide on site parking in order to minimise overspill parking on the road network.

The applicants have not submitted any quantification of the proposed modal split/trip generation levels, neither have the applicants submitted a parking survey. The parking survey should provide information on the current on street parking stress levels, the number of vehicles generated at peak times of usage (using quantified modal split levels). The parking survey should comment on the impact of the development on the surrounding highway network. With out a parking survey the transport team can not assess the impact of the development on the current on street parking situation.

Disabled parking

Not applicable to the above application.

Servicing and refuse vehicle access

Servicing and refuse collection will be under taken from Ruby Triangle. Due to site constraints no off street serving facility's can be provided. Given the nature of the proposed development and the central location of the bin stores it is not thought there will be:

many service vehicle movements associated with the above application
refuse vehicles stationary in the highway for an extended period.

Trip Generation/Highway impacts (if any)

The transport statement has shown stated a modal split, however there is no raw data/surveys to quantify the stated modal split levels. With out the raw data there is no way of guaranteeing the level of trip generation associated with the proposed development. if the level of trip generation can not be quantified there is no way of ascertaining the impact of the development on the surrounding highway network.

With out the above information the transport team can not recommend the above application for approval as the impact of the development are unknown.

Travel Plan comments (if any)

The proposed D1 use will need a travel plan the travel plan should take the existing modal split and propose reasonable methods which will provide a shift in modal split toward sustainable modes of transport.

Statutory and non-statutory organisations

Environment Agency

No objection subject to a number of conditions concerning ground water, contaminated land and informative's regarding waste disposal and surface water drainage.

Neighbours and local groups

No letters of support of objection have been received.